

1 F. CURT KIRSCHNER, JR. (S.B. #122502)
2 CHRISTOPHER T. SCANLAN (S.B. #211724)
3 O'MELVENY & MYERS LLP
4 Embarcadero Center West
5 275 Battery Street
San Francisco, CA 94111-3344
Telephone: (415) 984-8700
Facsimile: (415) 984-8701

6 Attorneys for Defendant
ST. LUKE'S HOSPITAL

7 WILLIAM A. SOKOL (S.B. #072740)
8 BRUCE A. HARLAND (S.B. #230477)
9 WEINBERG, ROGER & ROSENFELD
A Professional Corporation
10 1001 Marina Village Parkway, Suite 200
Alameda, CA 94501-1091
11 Telephone: (510) 337-1001
Facsimile: (510) 337-1023

12 Attorneys for Plaintiff
13 SEIU UNITED HEALTHCARE WORKERS —
WEST

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SEIU UNITED HEALTHCARE
WORKERS – WEST.

19 Plaintiff,

v.

21 ST. LUKE'S HOSPITAL, and DOES 1
THROUGH 10.

Defendant.

Case No. C 07-04238 TEH

**STIPULATION AND [PROPOSED]
ORDER THEREON CONTINUING
INITIAL CASE MANAGEMENT
CONFERENCE**

Judge: Hon. Thelton E. Henderson

Current CMC Date: Dec. 3, 2007
Proposed New Date: Jan. 28, 2008

THE PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD,
STIPULATE AS FOLLOWS:

3 WHEREAS, the Court initially ordered this matter to an Initial Case Management
4 Conference (CMC) on November 26, 2007;

5 WHEREAS, the Court on its motion thereafter continued the CMC to December 3,
6 2007;

7 WHEREAS, the rescheduled CMC date conflicts with a date on which lead counsel
8 for both parties are scheduled to appear in an arbitration involving the same parties as in
9 this litigation; and

WHEREAS, the parties are actively discussing a potential resolution of this matter that they believe will obviate the need for further Court proceedings;

12 NOW THEREFORE, the parties respectfully request that the Court continue the
13 CMC until January 28, 2008 (which is the first available continued date), at 1:30 p.m.,
14 with their joint case management statement to be submitted at least seven (7) days prior.

15 || IT IS SO STIPULATED.

16 || Dated: November 27, 2007.

F. CURT KIRSCHNER, JR.
CHRISTOPHER T. SCANLAN
O'MELVENY & MYERS LLP

21

WEINBERG, ROGER & ROSENFELD P.C.
WILLIAM A. SOKOL
BRUCE HARLAND

²⁸ ¹ Counsel e-filing this Stipulation attests that he has obtained Mr. Harland's approval to file this stipulation on behalf of both parties.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Initial Case Management Conference ordered for hearing on December 3, 2007 is hereby CONTINUED until January 28, 2008 at 1:30 p.m., and the parties are further directed to file their joint case management conference statement at least seven (7) days prior. The parties should promptly notify the Court of any settlement.

DATED: 11/28, 2007.

11 || SF1:696004.1

